

PRODUCT: 33 bottles of *Pabst Okay Special* at Cleveland, Ohio. Examination disclosed that the product was a dark green liquid with a bitter and somewhat burning taste and that it consisted essentially of plant extractives, chloroform, alcohol, and volatile oils.

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article, namely, the circular enclosed in the retail carton, represented and suggested that when the article was taken in conjunction with the diet recommended in the circular and with other treatments recommended therein, the article was an adequate and effective treatment for gonorrhea, which representations and suggestions were false and misleading since the article, either alone or when taken in conjunction with the recommended diet and other treatments recommended, was not an adequate and effective treatment for gonorrhea.

Further misbranding, Section 502 (a), the labeling of the article represented and suggested also that the article would reduce the discharge of pus due to gonorrhea and other venereal diseases, which representations and suggestions were false and misleading since the article was not effective in the reduction of the discharge of pus due to gonorrhea or other venereal diseases; and, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use for the purposes for which the article was intended.

DISPOSITION: December 15, 1952. Default decree of condemnation and destruction.

3903. Misbranding of Cystex, Romind, and Mendaco. U. S. v. 48 Dozen Packages, etc. (F. D. C. No. 33257. Sample Nos. 13847-L to 13849-L, incl.)

LABEL FILED: June 3, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about November 10 and December 5 and 28, 1951, and January 17, February 5 and 23, and April 3 and 30, 1952, by the Knox Co., from Newark, N. J.

PRODUCT: 48 dozen \$1.00-size packages and 24 dozen \$2.00-size packages of *Cystex*, 33 dozen \$1.00-size packages and 13 dozen \$2.00-size packages of *Romind*, and 19 dozen \$0.75-size packages, 36 dozen \$1.25-size packages, and 18 dozen \$2.50-size packages of *Mendaco*, at Denver, Colo.

RESULTS OF INVESTIGATION: On March 30 and April 13, 1952, in editions of the local newspaper, there appeared advertisements for *Cystex* placed by an advertising agency for and on behalf of the Knox Co.

LABEL, IN PART: "Cystex * * * Each Tablet contains Acetophenetidin 1½ grains, Methenamine and Benzoic Acid."

NATURE OF CHARGE: *Cystex*. Misbranding, Section 502 (a), the following statements in the labeling of the article were false and misleading since the article was not capable of fulfilling the promises of benefit made for it: (Carton) "Usually gives splendid palliative relief in acid urine for minor discomfort and irritation due to temporary non-organic and non-systemic Kidney and Bladder disturbances," (carton and leaflet entitled "Directions for Use" enclosed in carton) "Directions for use * * * In responsive cases discontinue when not needed for relief * * * Take Cystex long enough for a fair trial, and keep it on hand for quick use if needed again," (leaflet entitled "Directions for Use" enclosed in carton) "Take New Improved Cystex with utmost confidence. It is tried and true," and (leaflet entitled "A letter to you from our president" enclosed in carton) "Knox products * * * usually give very satisfactory results * * * try Knox Products, which your family may require, with the realization that they have proven highly satis-

factory to the majority of the millions of people who have used them." The article was misbranded in the above respect when introduced into and while in interstate commerce. Further misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use to "whip" backache; to curb loss of sleep; for nagging, bearing down backache, cloudy, offensive, or burning urine, bladder weakness (getting up nights or frequent day passages), nervousness, headaches, leg pains, and loss of pep due to simple kidney and bladder troubles without organic or systemic cause; to enable the user to feel better and overcome a tired, achy feeling after colds, nervous tension, depression, tiredness on arising, roving aches and pains in muscles and joints; to supply internal refreshment; to bring greater pep, happiness, and earning power; to overcome pains in the groin, hips, and lower abdomen, and a feeling of pressure or fullness in the bladder; to cleanse the body internally and overcome nearly all kinds of aches and pains; to enable the user to relax better, get more refreshing sleep, gain pep, happiness, and the vital energy necessary to enjoy life; to enable the user to wake up full of pep, rarin' to go; to aid nature in stimulating an increase of energy, which may help one feel years younger; and to relieve suffering, which were the conditions for which the article was intended. The article was misbranded in this respect while held for sale after shipment in interstate commerce.

Romind and *Mendaco*. Misbranding, Section 502 (a), the labeling of the *Romind*, namely, a leaflet entitled "For Your Family Medicine Chest" which was enclosed with the article, and the labeling of the *Mendaco*, namely, a leaflet entitled "A letter to you from our president" which was enclosed with this article, contained statements relating to the drug known as *Cystex*, which statements were false and misleading since *Cystex* was not capable of fulfilling the promises of benefit made for it. The statements represented and suggested that *Cystex* would help the kidneys remove excess urinary acids, palliate burning and smarting of the urinary passages and bladder irritation, and help the kidneys flush out waste which may become troublesome if allowed to accumulate; that *Cystex* would aid nature in stimulating an increase of energy, which may easily help one feel years younger; and that *Cystex* would be effective in the treatment of headaches, nervousness, rheumatic pains, loss of pep, backache, leg pains, cloudy, offensive, or burning urine, and bladder weakness. The *Romind* and *Mendaco* were misbranded in this respect when introduced into and while in interstate commerce.

DISPOSITION: September 26, 1952. Default decree of condemnation and destruction.

3904. Misbranding of Special Formula tablets and Miller's Compound tablets.

U. S. v. 1 drum, etc. (F. D. C. No. 31642. Sample No. 3396-L.)

LABEL FILED: On or about September 19, 1951, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about April 20, 1951, by the National Drug Co., from Philadelphia, Pa.

PRODUCT: 1 drum containing 35,000 *Special Formula tablets*, and 10 bottles, each containing 50 tablets, of *Miller's Compound tablets*, at Richmond, Va., in the possession of T. A. Miller Co., Inc., together with a number of loose bottle labels.

RESULTS OF INVESTIGATION: The tablets in the bottles had been repackaged, by the consignee, from drums of *Special Formula tablets* included in the above-mentioned shipment.